

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

January 2, 2014

Elisabeth A. Shumaker
Clerk of Court

In re:

EBRAHIM ADKINS,

Petitioner.

No. 13-3282
(D.C. No. 5:11-CV-03159-SAC)
(D. Kan.)

ORDER

By orders filed February 8 and February 22, 2013, this court imposed filing restrictions on petitioner Ebrahim Adkins, enjoining him from proceeding as an appellant or petitioner without legal representation unless he first obtains permission to proceed pro se. *See Adkins v. Kan. Comm'n on Jud. Qualifications*, 510 F. App'x 700, 707 (10th Cir. 2013) (setting out proposed filing restrictions); *Adkins v. Kan. Comm'n on Jud. Qualifications*, Nos. 11-3353, 12-3111, 12-3112, 12-3262, 12-3334 (Order Feb. 22, 2013) (directing filing restrictions to take effect). The restrictions specify several conditions Mr. Adkins must satisfy in order to be allowed to proceed pro se, and the court made it clear that the clerk will dismiss any appeal or other proceeding brought by Mr. Adkins for failure to prosecute if he does not fully comply. He has clearly failed to comply with at least two of those conditions with respect to the mandamus petition under consideration here.

First, he has not submitted a complete list of all proceedings he has filed in this court, with a statement indicating the current status or disposition of each

proceeding. He has neglected to specify several prior cases and he has not stated how any of the cases that are listed were disposed. Second, he has not provided a particularized description of the order or ruling being challenged by the instant petition and a short statement of the legal basis for the challenge. Rather, we are only told in general terms that he seeks “any and all relief requested” from this court in two prior appeals. Pet. at 5. Revisiting past decisions is not a proper subject for a writ of mandamus from this court and, not surprisingly, Mr. Adkins does not explain the legal basis for seeking it. Indeed, given the facial inadequacy of his materials, his mandamus petition would be subject to dismissal as legally frivolous were it to be accepted and considered on the merits. Some leeway must of course be afforded inartful pleadings from pro se litigants, but such liberal construction does not properly entail the acceptance of plainly inadequate, if not incomprehensible, petitions.

In accordance with the filing restrictions indicated above, this matter is dismissed for failure to prosecute. The motion to proceed in forma pauperis is denied as moot.

Entered for the Court

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", written in black ink on a light blue horizontal-lined background.

ELISABETH A. SHUMAKER, Clerk